

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JUSTIN DUFOE, on Behalf of Himself  
and All Others Similarly Situated,

Lead Plaintiff,

v.

DRAFTKINGS INC., JASON D.  
ROBINS, JASON K. PARK, and  
MATTHEW KALISH,

Defendants.

Case No. 1:23-cv-10524-DJC

**ASSENTED-TO MOTION FOR EXTENSION OF TIME TO FILE ANSWER**

Pursuant to Rule 6(b)(1)(A) of the Federal Rules of Civil Procedure, Defendant DraftKings Inc. (“DraftKings”) hereby moves for the entry of an order extending the deadline for DraftKings to file its Answer to the Amended Complaint in this matter by thirty (30) days to August 15, 2024.

As grounds for this motion, DraftKings states as follows:

1. On August 4, 2023, Plaintiff Justin Dufoe, individually and on behalf of all others similarly situated, filed an Amended Class Action Complaint (the “Amended Complaint”). ECF No. 38.
2. The allegations of the Amended Complaint span 55 pages including 213 paragraphs, and the Amended Complaint attaches nearly 150 pages of exhibits. ECF Nos. 38, 38-1, 38-2.
3. DraftKings moved to dismiss the Amended Complaint on September 25, 2023. ECF No. 46.
4. On July 2, 2024, the Court issued an order denying DraftKings’ Motion to Dismiss the Amended Complaint. ECF No. 60.

5. Pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), DraftKings' Answer to the Amended Complaint is presently due July 16, 2024.

6. While DraftKings is working diligently to answer the allegations in the Amended Complaint, based on the number and complexity of the allegations of the Amended Complaint, DraftKings believes that good cause exists for a 30-day extension of time to respond to the Amended Complaint.

7. Plaintiffs have consented to DraftKings filing its Answer on or before August 15, 2024.

WHEREFORE Defendant DraftKings respectfully requests that this Court grant this Assented to Motion for Extension of Time to Answer.

Dated: July 12, 2024

Respectfully submitted,

/s/ Andrew S. Dulberg

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*Attorneys for Defendants DraftKings Inc.,*

*Jason D. Robins, Jason K. Park, and Matthew Kalish*

**RULE 7.1(a)(2) CERTIFICATE**

I, Andrew S. Dulberg, hereby certify that counsel for Defendant DraftKings conferred with counsel for Plaintiffs, who assented to the relief sought in this motion.

/s/ Andrew S. Dulberg  
Andrew S. Dulberg

**CERTIFICATE OF SERVICE**

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (“NEF”) on July 12, 2024.

/s/ Andrew S. Dulberg  
Andrew S. Dulberg